



1055 Wilshire Boulevard  
Suite 800  
Los Angeles, CA 90017  
Tel 213.202.5858  
Fax 213.580.0017  
[www.lacountyarts.org](http://www.lacountyarts.org)

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Executive Director

February 01, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF CIVIC ART POLICY REVISIONS  
(ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

Adopt revisions to the Civic Art Policy which align the policy with current practice and consider removal of the funding cap following the initial five-year review period as required in the policy.

**IT IS RECOMMENDED THAT YOUR BOARD:**

Approve revisions to the Civic Art Policy originally adopted on December 7, 2004 by your Board and revised on November 18, 2008 and December 15, 2009.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Civic Art Policy specifies that your Board will periodically review and update the policy. The Civic Art Policy also specifies that the funding cap included in the policy is to be reviewed by your Board after five years. The attached revised policy which includes the removal of the language regarding the funding cap is being put forward for your consideration.

Changes to the Civic Art Policy recommended by the Arts Commission include:

- Add language to clarify that capital projects shall be identified as early as possible to determine the most appropriate approach to civic art.
- Specify existing available methods to select artists for civic art projects, consistent with Civic Art Procedures approved by the Arts Commission.
- Clarify the number of voting members for Project Coordination Committees.
- Clarify that the Civic Art Policy shall apply to capital improvement and refurbishment projects at the time your Board approves funding.

## **Implementation of Strategic Plan Goals**

The recommended actions support Countywide Strategic Plan Goal 3 to enrich the lives of County residents and visitors by providing access to cultural programs. Civic art expands the County's cultural resources and fosters positive community identity.

## **FISCAL IMPACT/FINANCING**

Civic art projects will continue to be funded as directed under the policy. The administration of the Civic Art Program will continue to be funded annually by the Chief Executive Office (CEO) in accordance with the annual budget process.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Not applicable.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Since the Civic Art Program first received access to funds in the mid-year capital project budget adjustment approved by your Board on April 18, 2006, the program has made considerable strides. Sixty-three artists have been commissioned and forty-eight civic art projects have been completed. Twenty-nine civic art projects are currently underway. To date, 88 historic County-owned artworks have been identified and documented. The program has also earned national recognition and awards, and garnered positive media coverage for the County of Los Angeles in addition to enriching the lives of residents and visitors.

**CONCLUSION**

These revisions to the Civic Art Policy will allow the program to continue to improve the County's physical and cultural environment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Laura Zucker", with a long horizontal line extending to the right.

LAURA ZUCKER  
Executive Director

LZ:GE

Enclosures

c: Gail Farber  
Barbara Goul  
Sachi Hamai  
Helen Parker  
Sean Rogan  
Ellen Sandt  
Jan Takata



# **CIVIC ART POLICY**

**Proposed Revised Policy, February 1, 2011**

Enriching Lives



**Los Angeles County Arts Commission**  
1055 Wilshire Boulevard, Suite 800, Los Angeles, CA 90017  
(213) 202-5858

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## **I. PURPOSE**

Artistic and cultural resources are key to the overall quality of life of a community. Civic Art contributes significantly to the economic vitality of a region by improving the quality of the environment and fostering a positive community identity. Historically, artists have helped shape the great civic projects of other eras, from the federal monuments of our capital to the community treasures of the Works Projects Administration. The creation of the Los Angeles County Civic Art Program will integrate the skills of artists into capital improvement and major development projects, enhancing Los Angeles County for those who live here now and contributing to the creation of a legacy for generations to come.

## **II. GOALS AND OBJECTIVES**

The Civic Art Program has the following goals:

- To enhance the quality of life of the residents of Los Angeles County through the creation of an improved physical and cultural environment;
- To provide leadership in the development of high quality civic spaces;
- To enhance County work spaces for constituents and staff;
- To expand the economic vitality of the County through increased property values and new cultural tourism opportunities;
- To provide access to artistic experiences of the highest caliber for the residents of Los Angeles County; and
- To acknowledge the skills and creativity of artists, which are key to the success of such a program.

Specific objectives include:

- To enhance the quality of selected County capital improvement projects through the incorporation of the skills of artists;
- To encourage innovative approaches to Civic Art;
- To integrate artists into the planning and design process at the earliest possible opportunity;
- To ensure access and the equitable distribution of commissions between local, regional and national artists that are representative of diverse cultural backgrounds;
- To document, archive, preserve and conserve County-owned artworks; and
- To provide the public with information about Civic Art Projects.

## **III. CIVIC ART POLICY**

The Civic Art Policy mandates that County capital improvement or refurbishment projects, funded wholly or in part by the County, allocate 1% of eligible project costs for the design, construction, integration, acquisition, delivery and conservation of Civic Art, unless otherwise ordered by the Board of Supervisors. The Civic Art Allocation will represent an amount equal to 1% of the cost of design services and construction of County capital improvement or refurbishment projects that are:

- Authorized by the Board of Supervisors to proceed;
- Included in the County's Capital Projects/Refurbishments Budget;

- Included in the County's Capital Projects/Refurbishments Budget and transferred to the Community Development Commission (CDC) for execution;
- Not yet contracted with a lead design/engineering firm; or
- Any other County development or Capital Project, as approved by the Board.

The Civic Art Policy shall apply to all County capital or refurbishment projects for which the Board of Supervisors has approved funding after December 7, 2004, regardless of whether or not that project has previously been assigned a capital project number.

If use of all, or a portion, of a project's funding is prohibited by the funding source for the purposes of the Civic Art Program, the Civic Art Allocation will reflect only that portion of the funding that is eligible for application to the Civic Art Program.

The Arts Commission's budget for contract project managers and other expenses associated with the administration of the Civic Art Program will be funded annually by the Chief Executive Office (CEO) in accordance with the annual budget process. The amount allocated for administration will be based on the number of County capital projects and anticipated workload for the upcoming fiscal year.

Projects included in the County's Capital Projects/Refurbishment Budget and transferred to CDC for execution or approved projects paid for and managed by other entities are subject to a 15% administrative fee from the 1% allocation.

#### **IV. IMPLEMENTATION OF CIVIC ART PROJECTS**

The Arts Commission will work with the Board offices, the Chief Executive Office (CEO), Department of Public Works (DPW), Community Development Commission (CDC) and County Departments to identify Civic Art Projects, conservation projects, community outreach and public education efforts, and any other activities anticipated to be undertaken.

Arts Commission staff will work with the CEO, DPW and CDC to identify eligible capital projects at the programming stage that shall move forward and have a civic art allocation. Arts Commission staff will implement a preliminary planning process to identify the preferred approach to the selection of an artist for the project prior to the selection of a lead design/engineering team for the associated capital project. Preliminary planning shall include input from the CEO, DPW, CDC, Supervisorial Office and Department. Once the preferred approach is determined, Arts Commission staff will establish a Project Coordination Committee, if appropriate.

All County capital or refurbishment projects identified as having a civic art component will include standard language in the Request for Proposals issued by the Department of Public Works regarding artist(s) involvement in the design process.

*A Project Coordination Committee* will be established at the beginning of each new Civic Art Project and will have primary oversight of each Civic Art Project, may participate in the project from artist selection through dedication, and work to ensure close coordination among stakeholders.

All Project Coordination Committee meetings will be facilitated by Arts Commission staff. Project Coordination Committees will meet to review and approve the following:

- *Artist selection.* Artists will be selected for each new Civic Art Project through one of the following methods:

- Design firms applying for capital projects may select an artist from the Pre-Qualified List.
- The Project Coordination Committee may select an artist from the Pre-Qualified List.
- An open, competitive call may be issued.
- Limited, invitational competition.
- Direct selection.

Additional detail is outlined in the *Civic Art Procedures, Section 1*.

- *The artist's proposals at the conceptual and final design phases.* In some cases the conceptual design review may take place as part of the artist selection process. After comments are received at each phase, Arts Commission staff will work with the artist to refine the design. If the artist is not in agreement with the Committee's recommendations, Arts Commission staff will mediate discussions to arrive at a consensus among all parties. In each case, if revisions are called for, the revised conceptual or final design will be presented to the Project Coordination Committee for approval.
- *Proposed alterations to the final design.* The artist's contract will contain language specifying that no change to the approved final design may take place without written permission.
- *Plans for the dedication and unveiling of the facility.* These include placement of appropriate informational signage at the project site, the inclusion of the artist and information regarding the artwork at any unveiling ceremonies or community outreach events associated with the dedication of the new facility.

All County departments will adhere to the roles and responsibilities detailed in Section VI.

The Civic Art Policy will be reviewed and updated by the Board of Supervisors. Procedures which guide implementation of, and are in accordance with, the Civic Art Policy will be updated by the Arts Commission in collaboration with the CEO.

## V. DEFINITIONS

**Artist** means a person who has established a reputation of artistic excellence in the visual, performing or literary arts, as judged by peers, through a record of exhibitions, public commissions, sale of works and/or educational attainment.

**Arts Commission Project Manager** is the lead staff person for each Civic Art project. The project manager is responsible for staffing the Project Coordination Committee but does not vote on artist selection.

**Arts Professional** is a person with established professional knowledge of the arts and/or design and may include public art administrators, artists, architects, landscape architects, art historians, museum and exhibition curators, art critics or educators.

**Civic Art** means artistic and cultural facilities, objects and amenities, whether created before or after the adoption of this policy, such as:



- Sculpture: Free standing, wall supported or suspended, kinetic, electronic or mechanical in material or combination of materials;
- Murals or portable paintings: In any materials or variety of materials, with or without collage or the addition of nontraditional materials and means;
- Earthworks, neon, glass, mosaics, photographs, prints, calligraphy, any combination of forms of media, including sound, film, holographic, and video systems, hybrids of any media and new genres;
- Standardized fixtures, such as grates, street lights, signage, and other design enhancements as rendered by an artist for unique or limited editions;
- Exhibit/Performance Space: Public gallery/exhibition space, public performance spaces, public artistic studio spaces, and public art education facilities; and
- Similar facilities and amenities as determined by the Los Angeles County Arts Commission;
- Restoration of County-owned artworks, and restoration or replication of original decorative ornamentation and Civic Art as part of the rehabilitation of the County's historic, cultural and architectural landmarks;
- Performing Arts: Theatre, dance, music and performance art;
- Literary Art: Poetry readings and storytelling;
- Media Art: Film and video, screenings and installations;
- Education: Lectures, presentations and training in and about arts and culture;
- Special events: Parades, festivals and celebrations; and
- Similar arts services as approved by the Los Angeles County Arts Commission.

**Civic Art Committee** is a committee of the Arts Commission made up of one Commissioner from each Supervisorial District.

**Civic Art Report** means an annual report issued to the Board of Supervisors which describes the Civic Art activities for the previous fiscal year. The report will detail new and ongoing Civic Art Projects, conservation projects, community outreach and public education efforts, and other activities undertaken during the year, as well as changes to the Civic Art Procedures approved by the Arts Commission. This report may also set priorities for use of Civic Art funds in future years.

#### **Civic Art Project Costs:**

- **Allowable Civic Art Project Costs:** The 1% Civic Art Allocation may be used to fund the following expenditures: purchase or design and fabrication of Civic Art, fees and travel expenses for artist services, transportation and installation of Civic Art, preservation, conservation, documentation, insurance, identification plaques, community workshops and other reasonable expenses associated with the initiation, development and completion of Civic Art Projects. Fees paid to a limited number of artist finalists for development of concept ideas or concept designs as part of the selection process are allowable. All work products submitted by artists to the County during the selection process will become the property of the County. Fees and related expenses paid to finalists are deducted from the Civic Art Project's budget.
- **Allowable Civic Art Administrative Costs:** The administrative budget may be used to fund the following expenditures: administration and project management by the Arts Commission, panelist fees and other reasonable expenses associated with the initiation, development, completion, public education, documentation, public information and conservation of Civic Art Projects.

- **Ineligible Civic Art Project Costs:** Civic Art Allocations shall not be expended for directional elements, signage, mass produced objects, reproductions, or for architectural elements, landscape architecture or gardening, except as they relate directly to an artist's concept for a Civic Art Project or to the preservation or conservation of County artworks.

**Eligible County Capital Project** means any new building or facility and any expansion or refurbishment of an existing facility or system, paid for wholly or in part by funds appropriated by the County or by any other public entity for which the Board is the governing body, with the exception of:

- New or refurbishment projects with Eligible Project Costs of less than \$500,000;
- Open space acquisition;
- Streets;
- Underground projects;
- Portable trailers;
- Technical equipment or structures acquired at a set price through a purchase order;
- Flood control channels;
- Airport runways and airport lighting;
- Paving; and
- Projects funded by the Community Development Commission of the County of Los Angeles (CDC) or the Housing Authority of the County of Los Angeles (HACOLA) and/or administered by CDC or HACOLA including but not limited to economic redevelopment projects, modernization of public housing, or affordable housing rehabilitation or development projects.

**Eligible Project Costs** used to calculate the Civic Art Allocation means the estimated cost of design services and construction at the time of adoption of the facility program on Eligible County Capital Projects.

**Project Coordination Committee** is a committee established at the beginning of each new Civic Art Project that will exercise primary project oversight, participate in the project from artist selection through dedication, and will work to ensure close coordination among stakeholders. All Project Coordination Committee meetings shall be facilitated by Arts Commission staff who shall be non-voting.

Voting members of the Project Coordination Committee shall be limited to the following:

- One representative of the County Supervisor in whose District the project is located;
- One representative of the CEO;
- One representative of the Department of Public Works if DPW is providing project management; or
- One representative of the Community Development Commission if CDC is providing project management;
- One representative of the tenant department(s);
- One Arts Commissioner in whose District the project is located,
- The project architect;
- One community member identified by either the Board office or Arts Commission-staff after consultation with the Board office or Arts Commissioners from that district; and
- At least one Arts Professional will serve on the Project Coordination Committee.

Any additional representatives attending meetings shall serve as non-voting members.

**Programming Stage** means the point in the development of an Eligible Capital Project at which preliminary project scope and estimated budget have been determined prior to solicitation for a lead design/engineering firm to prepare scoping documents.

**Refurbishment** means the reconfiguration of a facility or system or a portion of a facility or system that is included in the County's Capital Project/Refurbishment Project Budget which does not increase the gross square footage of facilities. For the purposes of this policy, refurbishment projects do not include repairs, maintenance or installation or replacement of building systems or furniture.

## **VI. ROLES AND RESPONSIBILITIES OF COUNTY DEPARTMENTS**

This section is intended to serve as a guide for all County entities involved in the delivery of the County Civic Art Program. These roles and responsibilities will foster clear communication and effective implementation of the program.

### **Los Angeles County Arts Commission**

- A. Adopt policies and procedures regarding implementation of the Civic Art Program. Obtain Board of Supervisors' approval of policy changes and CEO concurrence for policies and procedures that impact the County's capital program.
- B. Provide oversight and coordination for all aspects of the Civic Art Program and its projects in conjunction with the Board of Supervisors, CEO, DPW, CDC and other County departments.
- C. Develop and carry out Civic Art Projects in conjunction with the capital project programming and design schedule, with the goal of minimizing construction and scheduling impacts. Mutually cooperate with the Board of Supervisors, CEO, and DPW to determine when Civic Art Projects are initiated.
- D. Administer the Civic Art Program, including the development and presentation of budgetary recommendations regarding staffing costs, consultant costs and other reasonable expenses associated with the administration of the Civic Art Program.
- E. Document and archive historic County artworks and new Civic Art Projects into the County Civic Art Inventory. Electronic and hard-copy data on artworks includes but is not limited to, artist information, fabrication information, contracts, construction drawings, maintenance instructions, press coverage, an assessment of the condition of each work, a plan for conservation and repair, if applicable, and visual documentation.
- F. Maintain the County Civic Art Inventory and make it accessible to County staff and the public through regular Web site updates. Issue an updated report on the Inventory to the Board of Supervisors at least once every five years.
- G. Make the Civic Art Program accessible to the public through the Arts Commission's Web site, technical assistance workshops, media outreach and other outreach activities as appropriate.
- H. Determine the acceptance of gifts, long-term loans of artwork and loans of County-owned artwork to other organizations or institutions, based on

recommendations of the Arts Commission's Civic Art Committee. This will not apply to any County art institution with a governing body established to approve such purchases, gifts or loans.

- I. Convene Project Coordination Committee meetings, provide regular updates to the Committee throughout the course of the project and document key decisions and approvals.
- J. Negotiate, execute and administer contracts with artists and other vendors and approve invoices and other payments arising out of these contracts.
- K. Advise the CEO of upcoming contracts that will be encumbered in the Capital Projects budget.
- L. Within the Civic Art Special Fund, create District and Departmental Civic Art Accounts for each tenant department of an Eligible County Capital Project and ensure that transferred Civic Art Allocations are placed in the respective Departmental Civic Art Account. Each District will have the option of creating a sub-account to pool funds for a specific long-range project.
- M. Assist DPW and CDC in the resolution of any issues or differences regarding the project art component, and review and approve all plans and bid documents as they pertain to the implementation of the Civic Art Program.
- N. Work with the CEO, DPW and CDC to develop methodologies for integrating Civic Art into the design/build process.
- O. Convene and facilitate public meetings, in conjunction with tenant departments, as needed for the implementation of the Civic Art Program and/or specific projects and provide feedback from meetings.
- P. Oversee the maintenance and conservation of existing artworks, in conjunction with the Board of Supervisors, CEO and tenant departments.
- Q. Provide written maintenance instructions to tenant departments upon completion of every new Civic Art Project and conservation or repair of existing artworks.
- R. Establish a Civic Art Committee, made up of one Commissioner from each District, to:
  - Advise and provide recommendations to the Arts Commission on Civic Art Program policies and procedures;
  - Approve artist selection panelists and lists of pre-qualified artists, ensuring equal access for project consideration to all qualified artists;
  - Designate a member to serve on the Project Coordination Committee for each project.

The Director of the Civic Art Program will staff this committee and participate as an ex officio member.

- S. Recommend revisions in the Civic Art Policy at least every five years to the Board of Supervisors.

## **Chief Executive Office**

- A. Inform Arts Commission staff of new capital or refurbishment projects at the conclusion of the programming phase to allow for adequate review and planning, to determine which projects might benefit from the inclusion of Civic Art and to ensure that Civic Art Projects are fully integrated into the Capital Project process beginning in the programming stage.
- B. Work with Arts Commission staff, Board of Supervisors, and DPW to determine the applicability of Civic Art to proposed capital or refurbishment projects and in developing the annual Civic Art Project and administrative budgets.
- C. Provide Arts Commission staff with a copy of all capital project related Board Letters that may be applicable to the Civic Art Policy or specific allocations at least two weeks prior to Board meeting date.
- D. Calculate and present proposed Civic Art Allocations for each capital project throughout the year as new projects are considered.
- E. Transfer Civic Art Allocations to the Civic Art Special Fund, along with other capital project budget transfers, during the major budget actions throughout the fiscal year (Proposed, Supplemental, Mid-Year and Final) or more frequently.
- F. Review monthly Civic Art Special Fund encumbrance and expenditure reports from the Arts Commission.
- G. Advise Arts Commission staff of any Board actions, ordinances, resolutions, regulations or limitation on funding sources that may affect a specific project.
- H. Designate a representative to serve on the Project Coordination Committee.

## **Department of Public Works**

*These responsibilities will also apply to any department that has its own construction project managers and does not use a DPW project manager.*

- A. Coordinate the integration and delivery of Civic Art components in capital or refurbishment projects with the Arts Commission Project Manager, ensuring that selected artists are fully integrated into the project design process for all capital or refurbishment projects with a Civic Art component.
- B. Work with Arts Commission staff, Board of Supervisors and the CEO in determining the applicability of Civic Art to proposed capital improvement projects.
- C. Notify the Arts Commission in writing of all capital projects whose programming phase has been completed. Include in the written notification an estimate of the Civic Art Allocation or notice that the project is exempt from the allocation with indication of reason for exemption.
- D. At the beginning of each project's design phase, work with the tenant department representative to brief the artist(s) on the project's goals, opportunities and constraints.

- E. With the Arts Commission Project Manager, establish a timeline for the development of the Civic Art component that is consistent with the capital improvement project's timeline. The timeline will identify specific milestones for review and set the requirements for completion of the successive stages of conceptual design, final design, fabrication and installation.
- F. Provide the Arts Commission Project Manager with art component submittals at all phases for review and approval.
- G. With assistance of the Arts Commission Project Manager, resolve differences that may arise regarding project art components. Refer differences that cannot be resolved to CEO.
- H. Designate a representative to serve on the Project Coordination Committee.

### **Community Development Commission**

- A. Coordinate the integration and delivery of Civic Art components in capital or refurbishment projects with the Arts Commission Project Manager, ensuring that selected artists are fully integrated into the project design process for all County-funded capital or refurbishment projects with a Civic Art component.
- B. Work with Arts Commission staff, Board of Supervisors and the tenant department in determining the applicability of Civic Art to proposed capital improvement projects.
- C. CDC will transfer the project's Civic Art Allocation to the Civic Art Special Fund so that the Arts Commission can carry out a Civic Art Project for the capital project in a timely fashion. 15% of the 1% allocation will be set aside for the administrative costs to manage CDC projects.
- D. Notify the Arts Commission in writing of all capital projects whose programming phase has been completed. Include in the written notification an estimate of the Civic Art Allocation or notice that the project is exempt from the allocation with indication of reason for exemption.
- E. At the beginning of each project's design phase, with the tenant department representative, brief the artist(s) on the project's goals, opportunities and constraints.
- F. With the Arts Commission Project Manager, establish a timeline for the development of the Civic Art component that is consistent with the capital improvement project's timeline. The timeline will identify specific milestones for review and set the requirements for completion of the successive stages of conceptual design, final design, fabrication and installation.
- G. Provide the Arts Commission Project Manager with art component submittals at all phases for review and approval, when appropriate.
- H. Assist the Arts Commission Project Manager, as needed, to address differences that may arise regarding project art components. Refer differences that cannot be resolved to the appropriate Board Office.

- I. Designate a representative to serve on the Project Coordination Committee.

**Departments, Agencies or Authorities**

- A. Work with Arts Commission staff in determining the applicability of Civic Art to proposed capital or refurbishment projects.
- B. At the beginning of each project's design phase, the tenant department representative, along with the DPW, CDC or another department project manager, will brief the artist on the project's goals, opportunities and constraints.
- C. Coordinate with Arts Commission staff to ensure appropriate outreach to any advisory groups, neighborhood groups or others that may be impacted by, or have interest in, the development of a specific project.
- D. Assist in the resolution of differences regarding the Civic Art component as appropriate.
- E. Work with Arts Commission staff and individual artists to develop artwork maintenance plans for all department-owned Civic Art, and integrate the maintenance of art within the department or agency's annual operating budget.
- F. Designate a representative to serve on the Project Coordination Committee for each departmental Civic Art Project.
- G. Departments, Agencies or Authorities who manage their own capital projects shall notify the Arts Commission and CEO, in writing, of all capital projects whose programming phase has completed. An estimate of the potential Civic Art Allocation shall be included in the notice.